

EXHIBIT D

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

GREAT DANE LIMITED PARTNERSHIP,)
Plaintiff,)
v.) Civil Case No. 3:08-CV-089
STOUGHTON TRAILERS, LLC AND)
NEWCOURT, INC.,)
Defendants.)

DEFENDANT STOUGHTON TRAILERS, LLC'S
RESPONSE TO PLAINTIFF'S INFRINGEMENT CONTENTIONS

COMES NOW Stoughton Trailers, LLC (“Stoughton”), Defendant in the above-styled action, and for its Response to Plaintiff’s Infringement Contentions, show as follows pursuant to Local Patent Rule 4.1:

1. Stoughton contends that its products do not infringe claim 23 of the '018 patent; or claims 16, 17-21, and 23-25 of the '493 patent.
2. The bases for Stoughton's non-infringement positions are set forth in the claim charts attached hereto as Exhibits A and B.

Dated this 23rd day of June, 2009.

Respectfully Submitted,

MICHAEL BEST & FRIEDRICH LLP

/s/ Jonathan H. Margolies
JONATHAN H. MARGOLIES
Wisconsin State Bar No. 1000452

SHAUN M. DAUGHERTY
Georgia State Bar No. 205877

Attorneys for Defendant Stoughton Trailers, LLC.

100 E. Wisconsin Ave
Suite 3300
Milwaukee, WI 53202
Phone: (414) 271-6560
Fax: (414) 277-0656

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2009 I served a copy of the within and foregoing DEFENDANTS' RESPONSE TO PLAINTIFF'S INFRINGEMENT CONTENTIONS to the following individuals via U.S. Mail and electronic mail:

John M. Tatum, Esq.
Hunter, Maclean, Exley & Dunn, P.C.
P.O. Box 9848
Savannah, GA 31412
jtatum@huntermaclean.com

R. Trevor Carter
Baker & Daniels, LLP
300 North Meridian Street
Suite 2700
Indianapolis, IN 46204
Trevor.Carter@bakerd.com

David P. Irmscher
Baker & Daniels, LLP
111 East Wayne, Suite 800
Fort Wayne, IN 46802
dpirmsch@bakerd.com

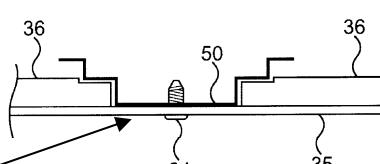
Summer C. Rosenberg, Esq.
Lawrence K. Nodine, Esq.
J. Scott Anderson, Esq.
Jeffrey H. Brickman, Esq.
**Ballard Spahr Andrews
& Ingersoll, LLP**
999 Peachtree Street
Suite 1000
Atlanta, GA 30309
rosenbergs@ballardspahr.com

s/ Lora L. Bergmann

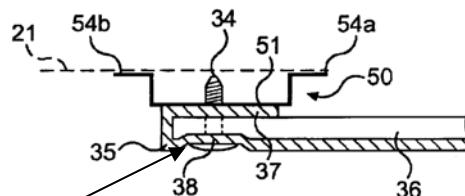
Lora L. Bergmann

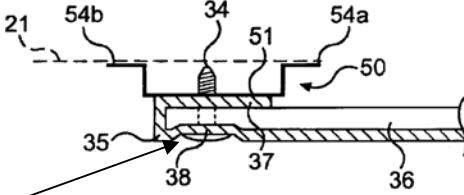
Michael Best & Friedrich
100 E. Wisconsin Ave., #3300
Milwaukee, WI 53202
414.271.6560

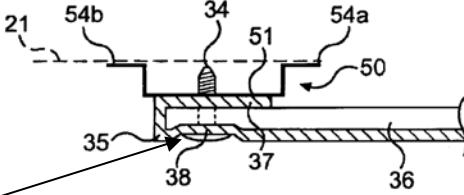
Noninfringement Claim Chart: U.S. Patent No. 6,652,018

Claim 23	Representative Drawings and Comments
<p>1. A cargo trailer for use with a motorized vehicle, said trailer comprising:</p> <p>a plurality of wheels;</p> <p>a floor supported by said wheels; and</p> <p>a side wall extending vertically upward from a longitudinal side of said floor, said side wall including an exterior surface, and</p> <p>a liner panel inward of and spaced apart from said exterior surface, said liner panel including a stiff backer and a tough facer attached to an inward side of said backer so that said facer at least partially defines a planar inner surface of said side wall, wherein said facer defines an overhang portion that extends beyond an edge of said backer.</p> <p>14. The trailer as in claim 1, wherein said liner panel is rectangular in shape.</p> <p>15. The trailer as in claim 14, including a vertical post extending upward from said floor between said exterior surface and said liner panel, wherein said exterior surface and said liner panel are attached to said vertical post.</p> <p>16. The trailer as in claim 15, including a plurality of spaced-apart said vertical posts and a plurality of parallel vertically-aligned said liner panels, each pair of adjacent said liner panels being attached to a respective said vertical post disposed between said adjacent liner panels.</p> <p>23. The trailer as in claim 16, wherein said plurality of liner panels include a plurality of discrete said backers <u>sharing a common said facer</u>, so that said common facer covers said vertical posts.</p>	<p>Stoughton liner panels do not include a common facer covering a vertical post disposed between adjacent liner panels:</p>  <p>Great Dane claimed arrangement:</p>  <p>FIG. 22</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Col. 8, ll. 9-13:</p> <p>In another example, and referring to FIG. 22, the liner panel backers are received by a respective side flanges of vertical posts 50. The backers share a common facer 35 so that the facer passes over the front surface of all vertical posts in the side wall.</p> </div>

Noninfringement Claim Chart: U.S. Patent No. 6,923,493

Claim 16	Representative Drawings and Comments
<p>12. A cargo transport structure for use with a motorized vehicle so that when transported by the motorized vehicle, the structure extends from proximate the motorized vehicle and away from the motorized vehicle over at least one pair of wheels, said structure comprising:</p> <p>a floor; and</p> <p>a side wall extending vertically upward from a longitudinal edge of said floor, said side wall having an exterior surface, and</p> <p>a liner panel inward of and spaced apart from said exterior surface, wherein</p> <p>said liner panel has a stiff backer and a tough facer attached to an inward side of said backer so that said facer at least partially defines a planar inner surface of said side wall, and</p> <p>said facer defines an overhang portion that wraps around a vertical edge of said backer and partially covers an edge surface of said backer that is perpendicular to said inner surface.</p> <p>13. The cargo transport structure as in claim 12, wherein said side wall includes a plurality of spaced apart vertical posts disposed between said exterior surface and said liner panels and wherein each pair of adjacent liner panels is attached to a respective said vertical post between said adjacent liner panels.</p> <p>15. The cargo transport structure as in claim 13, including a fastener extending through said facer and said backer proximate said edge and into said post so that said fastener secures said liner panel to said post, said fastener having a shaft portion and a head portion that is wider than said shaft portion.</p> <p>16. The cargo transport structure as in claim 15, wherein said backer defines an area depressed from said inward side of said backer,</p> <p>said facer deflects into said area so that said facer and said backer define a recess at said inner surface, and</p> <p>said shaft portion extends through said backer and said facer so that said head portion is received in said recess and abuts said facer.</p>	<p>Wood backers of Stoughton liner panels do not include depressed areas into which the metal facers deflect. Also, any feature of Stoughton's liner panels into which a portion of a fastener head is received is the minor and incidental byproduct of a standard riveting procedure.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p>Great Dane claimed arrangement:</p> <div style="text-align: center;">  <p>FIG. 8</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Col. 8, ll. 33-41:</p> <p>The heads of fasteners 34a and 34b, in this case screws, may extend out from this surface as illustrated in FIG. 6 but could also be countersunk into recesses 38 formed in both facer 35 and backer 36 of liner panels 33 so that the heads are at or below the panel surfaces, as shown in FIG. 8. Each of a plurality of recesses 38 may be formed by crushing, cutting, milling, drilling or sanding backer 36, or backer 36 and facer 35 together, such that the liner's thickness at recess 38 is reduced.</p> </div>

Claims 17-21	Representative Drawings and Comments
<p>17. A cargo transport structure for use with a motorized vehicle so that when transported by the motorized vehicle, the structure extends from proximate the motorized vehicle and away from the motorized vehicle over at least one pair of wheels, said structure comprising:</p> <p>a floor; and</p> <p>a side wall extending vertically upward from a longitudinal edge of said floor, said side wall having an exterior surface,</p> <p>a liner panel inward of and spaced apart from said exterior surface, wherein</p> <p>said liner panel has a stiff backer and a tough facer attached to an inward side of said backer so that said facer at least partially defines a planar inner surface of said side wall, and</p> <p>said facer defines an overhang portion that extends beyond an edge of said backer,</p> <p>an elongated post between and attached to said exterior surface and said liner panel, and</p> <p>a fastener extending through said facer and said backer proximate said edge and into said post so that said fastener secures said liner panel to said post, said fastener having a shaft portion and a head portion that is wider than said shaft portion, wherein</p> <p><u>said backer defines an area depressed from said inward side of said backer.</u></p> <p><u>said facer deflects into said area so that said facer and said backer define a recess at said inner surface, and</u></p> <p>said shaft portion extends through said backer and said facer so that said head portion is received in said recess and abuts said facer.</p>	<p>Wood backers of Stoughton liner panels do not include depressed areas into which the metal facers deflect. Also, any feature of Stoughton's liner panels into which a portion of a fastener head is received is the minor and incidental byproduct of a standard riveting procedure.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p>Great Dane claimed arrangement:</p> <div style="text-align: center;">  <p>FIG. 8</p> </div> <div style="border: 1px solid black; padding: 5px; width: fit-content; margin-left: 20px;"> <p>Col. 8, ll. 33-41:</p> <p>The heads of fasteners 34a and 34b, in this case screws, may extend out from this surface as illustrated in FIG. 6 but could also be countersunk into recesses 38 formed in both facer 35 and backer 36 of liner panels 33 so that the heads are at or below the panel surfaces, as shown in FIG. 8. Each of a plurality of recesses 38 may be formed by crushing, cutting, milling, drilling or sanding backer 36, or backer 36 and facer 35 together, such that the liner's thickness at recess 38 is reduced.</p> </div>

Claim 23-25	Representative Drawings and Comments
<p>22. A cargo transport structure for use with a motorized vehicle so that when transported by the motorized vehicle, the structure extends from proximate the motorized vehicle and away from the motorized vehicle over at least one pair of wheels, said structure comprising:</p> <p>a floor; and</p> <p>a side wall extending vertically upward from a longitudinal edge of said floor, said side wall having an exterior surface,</p> <p>a liner panel inward of and spaced apart from said exterior surface, wherein</p> <p>said liner panel has a stiff backer and a tough facer attached to an inward side of said backer so that said facer at least partially defines a planar inner surface of said side wall, and</p> <p>said facer defines an overhang portion that extends beyond an edge of said backer, and</p> <p>an elongated post between and attached to said exterior surface and said liner panel so that said backer abuts said post, wherein fasteners extend through said facer and said backer into said post to secure said liner panel to said post, and wherein each said fastener has a shaft portion and a head portion that is wider than said shaft portion.</p> <p>23. The cargo transport structure as in claim 22, wherein <u>said backer and said facer define a recess at said inner surface at which said shaft portion extends through said backer and said facer so that said head portion is received in said recess.</u></p> <p>24. The cargo transport structure as in claim 22, wherein said recess comprises a plurality of discrete recesses in which respective said fasteners are received.</p> <p>25. The cargo transport structure as in claim 24, wherein <u>said backer defines an area depressed from said inward side of said backer, and</u></p> <p><u>said facer deflects into said area so that said facer and said backer define said recess.</u></p>	<p>Wood backers of Stoughton liner panels do not include depressed areas into which the metal facers deflect. Also, any feature of Stoughton's liner panels into which a portion of a fastener head is received is the minor and incidental byproduct of a standard riveting procedure.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div> <p>Great Dane claimed arrangement:</p> <div style="text-align: center;">  <p>FIG. 8</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Col. 8, ll. 33-41:</p> <p>The heads of fasteners 34a and 34b, in this case screws, may extend out from this surface as illustrated in FIG. 6 but could also be countersunk into recesses 38 formed in both facer 35 and backer 36 of liner panels 33 so that the heads are at or below the panel surfaces, as shown in FIG. 8. Each of a plurality of recesses 38 may be formed by crushing, cutting, milling, drilling or sanding backer 36, or backer 36 and facer 35 together, such that the liner's thickness at recess 38 is reduced.</p> </div>